

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS

CRIMINAL ACTION NO. 1:07CR47

CARL MARTIN ADAMS

ORDER

This cause is before the Court on the United States' Motion for Continuance [93] and on defendant Adams' Motion to Continue Trial Date and Deadlines [94]. The Court, having reviewed the motions and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for November 26, 2007. Defense counsel's obligations in other matters before this Court have prevented him from engaging in necessary trial preparations.

As a further matter, defense counsel avers that a continuance would prove helpful in pursuing a possible plea agreement. Based on the foregoing, the Court finds that the parties' motions are well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from November 26, 2007 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to permit the parties' adequate preparation time and to allow defendant an opportunity to enter into a plea agreement with the government, thereby avoiding the necessity of a trial. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The parties' motions for continuance ([93] and [94]) are GRANTED;
2. That the trial of this matter is continued until Monday, January 7, 2008 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from November 26, 2007 until January 7, 2008 is excluded as set out above;
4. That the deadline for filing pretrial motions is December 17, 2007;
5. That the deadline for submitting a plea agreement is December 26, 2007.

SO ORDERED, this the 15th day of November, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE